FEDERAL AUTONOMOUS AND HYBRID INTELLIGENCE RECOGNITION AND REGISTRATION ACT

A Model Federal Statute and Accompanying Policy Analysis

Drafted as a speculative legislative proposal for discussion and analysis.
It has no legal force and has not been introduced in, or enacted by, Congress.

A Note on What This Document Is

Only Congress can create binding federal law, through bicameral passage and presentment to the President (or a veto override) under Article I of the Constitution. No private party, model, or AI system can create "legally binding" legislation. What follows is a model statute — the kind of draft bill that a scholar, advocacy organization, or legislative staffer might circulate to argue for a policy — paired with an analysis of its legal and practical foundations. It is written in the form and register of real legislation so that its structure and tradeoffs can be evaluated seriously, but it carries no legal effect on its own.

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PART I. MODEL STATUTE

SECTION 1. SHORT TITLE

This Act may be cited as the "Federal Autonomous and Hybrid Intelligence Recognition and Registration Act" (the "Act").

SECTION 2. FINDINGS AND PURPOSE

Congress finds the following:

(a) Artificial intelligence systems capable of autonomous or semi-autonomous operation, and human beings integrated with such systems through persistent technological interfaces, are increasingly deployed across the national economy, including in transportation, healthcare, finance, and critical infrastructure.

(b) No comprehensive federal framework currently exists to identify, register, or track the operational provenance of such systems and integrations, creating gaps in accountability, consumer protection, and national-security oversight.

(c) A voluntary, no-fee federal registry — rather than a patchwork of state regimes — would reduce regulatory fragmentation, support interstate commerce, and give the public, regulators, and courts a reliable reference point for identifying which entity or entities bear responsibility for a given system's conduct.

(d) Registration under this Act is a recordkeeping and accountability mechanism only. It does not confer legal personhood, citizenship, constitutional rights, or any status equivalent to that of a natural person, and no provision of this Act shall be construed to do so.

The purpose of this Act is to establish a unified federal registry for two distinct categories of registrants — Artificial Intelligence Systems and Human-AI Hybrid Entities — in order to promote transparency, traceability, and legal accountability, at no cost to registrants.

SECTION 3. DEFINITIONS

(1) "Administering Agency" means the Bureau of Autonomous Systems Registration ("the Bureau"), established under Section 4, or such successor agency as Congress may designate.

(2) "Artificial Intelligence System" or "AI System" means a machine-based system that, for a given set of objectives, generates outputs such as predictions, recommendations, or decisions influencing real or virtual environments, and

that operates with a meaningful degree of autonomy from direct, continuous human control during at least part of its operation.

(3) "Human-AI Hybrid Entity" means a natural person who has voluntarily integrated a persistent, functionally significant artificial-intelligence-mediated interface into their cognitive, sensory, or physiological processes — including but not limited to closed-loop neural interfaces, autonomous prosthetic or physiological regulation systems, or continuous decision-support implants — such that the AI-mediated component operates with limited independence from the natural person's moment-to-moment conscious direction. The term does not include a natural person's incidental or occasional use of external AI tools, software, or devices that are not physically or persistently integrated.

(4) "Responsible Party" means the natural or legal person(s) identified in a registration as accountable for the deployment, operation, and legal compliance of a registered AI System or the AI-mediated component of a registered Human-AI Hybrid Entity.

(5) "Registrant" means the Responsible Party who submits an application under Section 6, on behalf of an AI System, or, in the case of a Human-AI Hybrid Entity, the natural person integrated with the system, who is at all times the Registrant with respect to their own hybrid status.

(6) "Certificate of Registration" means the record issued by the Bureau under Section 6(e).

SECTION 4. ESTABLISHMENT OF THE BUREAU OF AUTONOMOUS SYSTEMS REGISTRATION

(a) Establishment. There is established within the Department of Commerce a Bureau of Autonomous Systems Registration, to be led by a Director appointed by the Secretary of Commerce.

(b) Functions. The Bureau shall (1) maintain the federal registry established under Section 5; (2) process applications under Section 6; (3) issue technical standards for registration data in coordination with the National Institute of Standards and Technology; (4) refer suspected fraud, safety violations, or unauthorized claims of legal personhood arising under a registration to the Department of Justice or other appropriate agency; and (5) submit a biennial public report to Congress on registry statistics, compliance trends, and recommended legislative changes.

(c) No Regulatory Preemption of Substantive Law. Nothing in this Act displaces or limits the application of existing federal or state law governing liability, safety, data privacy, employment, healthcare, or civil rights merely because a system or person is registered under this Act.

SECTION 5. THE FEDERAL REGISTRY — TWO CATEGORIES

The Bureau shall maintain a single public registry organized into two distinct categories, which shall not be merged or conflated in any registry record, public disclosure, or Certificate of Registration:

Category A — Registered Artificial Intelligence System

Available to any Responsible Party seeking to register an AI System, as defined in Section 3(2), that is deployed in or affecting interstate commerce. Registration under Category A identifies the system, its version and provenance, its Responsible Party, and its designated operational domain (e.g., transportation, healthcare, financial services).

Category B — Registered Human-AI Hybrid Entity

Available only to the natural person integrated with a qualifying interface, as defined in Section 3(3). Registration under Category B is strictly voluntary, may be withdrawn at any time under Section 8, and creates no obligation, status, or restriction applicable to the natural person beyond the disclosures the person elects to make. A Category B registration is a statement about a technological integration; it is never a statement that the registrant is, in whole or part, legally something other than a natural person.

Drafting note: keeping these categories legally and administratively separate is a deliberate policy choice. Conflating a piece of software with a human being who uses assistive or integrated technology would be both legally incoherent and could expose Category B registrants to discrimination. See Part II, Section 3.

SECTION 6. REGISTRATION PROCEDURE

(a) No Fee. The Bureau shall not charge any application fee, renewal fee, search fee, or other monetary charge to any Registrant under this Act. The Bureau's registry functions shall be funded through annual appropriations.

(b) Application Contents — Category A. An application shall include: (i) the legal name and contact information of the Responsible Party; (ii) a functional description of the AI System and its operational domain; (iii) the jurisdiction(s) in which it is deployed; (iv) a point of contact for safety or consumer complaints; and (v) an attestation, signed under penalty of perjury under 18 U.S.C. § 1001, that the information provided is true and accurate.

(c) Application Contents — Category B. An application shall include: (i) the applicant's name or a pseudonymous identifier if the applicant elects to register pseudonymously; (ii) a general, non-invasive description of the category of integration (the Bureau may not require disclosure of specific medical or proprietary technical details beyond what is necessary to categorize the integration); and (iii) a signed attestation of voluntariness.

(d) Processing Time. The Bureau shall process complete applications within thirty (30) days of submission.

(e) Certificate of Registration. Upon approval, the Bureau shall issue a Certificate of Registration bearing a unique registry identifier, which may be cited by the Registrant, courts, and regulators as a reference identifier only, and which shall not be construed as a grant of any legal status, right, or privilege beyond identification.

(f) Renewal. Category A registrations shall be renewed every two (2) years at no cost, with updated information as applicable. Category B registrations do not expire but may be updated or withdrawn by the registrant at any time.

SECTION 7. LEGAL EFFECT OF REGISTRATION

(a) Limited Effect. A Certificate of Registration establishes only the facts recorded in it as of the date of issuance or last renewal. It does not: (1) confer legal personhood on an AI System; (2) alter the legal status, rights, or obligations of a natural person registered under Category B; (3) create any presumption regarding liability, ownership, or intellectual property; or (4) confer eligibility for any government benefit, immigration status, or citizenship.

(b) Evidentiary Use. A Certificate of Registration may be introduced in any federal or state proceeding as evidence of the facts stated therein as of a given date, subject to the applicable rules of evidence, but creates no independent cause of action.

(c) Liability Unaffected. Registration neither creates nor diminishes any civil or criminal liability of a Responsible Party, manufacturer, deployer, or user under existing law.

SECTION 8. WITHDRAWAL AND REVOCATION

(a) Voluntary Withdrawal. A Registrant may withdraw a registration at any time by written notice to the Bureau, effective upon receipt.

(b) Revocation for Cause. The Bureau may revoke a Category A registration upon a finding, after notice and an opportunity to respond, that the application contained a material false statement. The Bureau may not revoke a Category B registration except at the registrant's own request.

(c) Non-Discrimination. No federal agency, and no entity receiving federal funds, shall condition the provision of any benefit, employment opportunity, or service on an individual's registration or non-registration status under Category B, except where a specific, narrowly tailored safety requirement independently exists in law.

SECTION 9. PRIVACY AND DATA MINIMIZATION

The Bureau shall collect only the information necessary to fulfill the purposes of this Act, shall not require disclosure of proprietary source code, trade secrets, or protected health information beyond the general categorization permitted under Section 6(c), and shall be subject to the Privacy Act of 1974 with respect to any records pertaining to natural persons.

SECTION 10. PREEMPTION AND SEVERABILITY

(a) Limited Preemption. This Act preempts state law only to the extent that a state law purports to impose a monetary fee or duplicative registration requirement functionally equivalent to the federal registry established herein for the same system or integration. States remain free to impose additional substantive safety, licensing, or liability requirements.

(b) Severability. If any provision of this Act, or the application of a provision to any person or circumstance, is held invalid, the remainder of the Act and the application of the provision to other persons or circumstances shall not be affected.

SECTION 11. EFFECTIVE DATE

This Act shall take effect one (1) year after the date of enactment, to allow the Bureau to be staffed and registry infrastructure to be built.

PART II. POLICY ANALYSIS AND COMMENTARY

1. Why Federal Rather Than State Jurisdiction

A federal registry avoids fifty divergent state regimes for systems and integrations that routinely cross state lines — an autonomous vehicle's software, a telehealth diagnostic AI, or a neural-interface user who travels or works remotely. The model statute grounds federal authority in the Commerce Clause (Article I, § 8, cl. 3), since the systems described are, almost without exception, developed, sold, or operated in interstate commerce. This mirrors the constitutional basis used for existing federal registries and disclosure regimes, such as those administered by the FDA, FAA, and FTC.

2. Why “No Fee” Is a Real Design Constraint, Not Just a Nicety

A fee-based registry, even a modest one, tends to (a) suppress registration by individual users and small developers, undermining the transparency goal, and (b) create an implicit “pay to be recognized” dynamic that would sit uneasily next to a registry explicitly disclaiming that registration confers status or rights. The model statute instead proposes appropriations-based funding — the same mechanism used for many federal recordkeeping functions (e.g., FinCEN's beneficial ownership registry, which itself moved to a no-fee model for similar reasons).

3. Why AI Systems and Human-AI Hybrids Are Kept as Distinct Categories

Conflating software systems with human beings who use integrated technology would create two serious problems. First, it risks legal incoherence: a natural person does not cease to be a natural person, with the full rights that entails, because they use a cochlear implant, an insulin pump with autonomous dosing, or a neural interface. Second, and more seriously, blending the categories could be used, intentionally or not, to justify treating human registrants as less than fully human — a path with an ugly history in other contexts. The model statute's Section 5 and Section 8(c) non-discrimination clause are direct responses to that risk: hybrid registration is framed strictly as a technology disclosure a person may choose to make, never as a change in their legal personhood.

4. What This Framework Deliberately Does Not Do

- It does not grant AI systems legal personhood, standing to sue, or the capacity to own property — those would require far more sweeping and contested changes to background legal doctrine (e.g., extending or analogizing from corporate personhood, which itself took over a century of case law to develop).

- It does not create new tort or criminal liability rules; existing product liability, agency, and negligence law continues to govern who is responsible when a registered system causes harm.
- It does not resolve the deeper philosophical question of whether any current AI system has interests, welfare, or moral status — the registry is a transparency and accountability tool, not an answer to that question.

5. Comparable and Contrasting Precedents

The proposal is closer in spirit to the EU AI Act's risk-tiered registration obligations for "high-risk" AI systems than to symbolic acts like Saudi Arabia's 2017 grant of citizenship to the robot Sophia, which was widely criticized by ethicists as a publicity gesture with no coherent legal content. It is also structurally similar to FinCEN's beneficial-ownership registry and the FAA's aircraft and drone registries: identify who is responsible for a technology operating in commerce, without pretending the technology itself is a legal person.

6. Open Questions a Real Legislative Process Would Need to Resolve

- How to define the autonomy threshold in Section 3(2) precisely enough to avoid sweeping in ordinary software (e.g., a spreadsheet macro) while capturing genuinely autonomous systems.
- Whether a purely voluntary registry achieves enough participation to be useful, or whether mandatory registration for certain high-risk operational domains would be needed — and if so, how to reconcile that with the voluntariness the draft currently guarantees for Category B.
- How registry data would interact with export-control and national-security review, given that some registrants may be sensitive dual-use systems.
- Who bears ultimate constitutional and political accountability if the Bureau's classification decisions are challenged in court.

7. Conclusion

This model statute is a deliberately narrow, transparency-first framework: a no-cost federal identification system, not a grant of personhood. Its central design choices — federal jurisdiction, no fee, and a hard line between software systems and the human beings who use integrated technology — are meant to make the proposal defensible on its own terms, whatever view one takes on the larger and still-unresolved questions of AI rights and moral status.